

REMARKS

In the Office Action, the Examiner allowed claim 11 if rewritten in independent form including all of the limitations of the base claim and any intervening claims; and rejected claims 1-10, 12, and 13 under 35 U.S.C. 103(a) as being unpatentable over Tang et al. (U.S. Patent No. 6,298,370; hereinafter “Tang”) in view of Warwick et al. (U.S. Patent No. 6,460,151; hereinafter “Warwick”). The Applicants appreciate the indication of allowable subject matter. Applicants traverse the rejections for the reasons set forth below. Reconsideration is respectfully requested based on the remarks below.

Claims 1, 8, 9 and 11 have been amended to further clarify the subject matter regarded as the invention. Support of the amendments can be found in original claims 10 and 11, the published specification (US 2004/0230988 A1) in paras [0036], [0039]; and elsewhere. Claims 10, 12, and 13 have been canceled without prejudice or disclaimer. Accordingly, claims 1-9 and 11 remain pending in the application.

Patentability of Claims 1-9 and 11

Independent claims 8 and 9 have been amended to recite limitations from allowable claim 11. In particular, claims 8 and 9 now require “wherein the at least one driver comprises a second driver coupled to a second hardware device and the supplemental device driver is further configured to forward the second communication to the second driver; and wherein the first hardware device has predetermined functionality envisaged by the operating system and the second hardware device has functionality beyond the predetermined functionality”. None of the cited art alone or in combination teaches or suggests these limitations. As such, it is respectfully submitted that claims 8 and 9 are patentable.

Independent claim 1 has been amended to recite “the additional driver means further configured to communicate with said operating system in the same manner that the installed driver is configured to communicate with said operating system in the absence of the additional driver means”. One of the advantages of the invention is that the installed driver “functions normally” without incurring drawbacks such as those referred to in the Background of the Invention section of the published specification. (See paras [0013] and [0039]) For instance, incorporating a filter driver that allows

modification to be made to the stream flowing between the operating system and the driver could cause different problems to arise. (See para [0012])

In contrast, the cited art lacks the benefits of the present invention since it fails to teach or suggest “the additional driver means further configured to communicate with said operating system in the same manner that the installed driver is configured to communicate with said operating system in the absence of the additional driver means. Specifically, the cited art is silent as to this claim limitation. As such, it is respectfully submitted that claim 1 is patentable.

The Examiner’s rejections of the dependent claims are respectfully traversed. Claims 2-7 each depend either directly or indirectly from independent claim 1 and, therefore, are respectfully submitted to be patentable over cited art for at least the reasons set forth above with respect to claim 1. Further, the dependent claims require additional elements that when considered in context of the claimed inventions further patentably distinguish the invention from the cited art.

Conclusion

Accordingly, it is submitted that all issues in the Office Action have been addressed, and withdrawal of the rejections is respectfully requested. Applicants believe that this application is in condition for allowance, and respectfully request a prompt passage to issuance. If the Examiner believes that a telephone conference would expedite the prosecution of this application, he is invited to contact the undersigned at the telephone number set out below.

Applicants hereby petition for any necessary extensions of time for the filing of this Amendment under the provisions of 37 CFR 1.136. The director is hereby authorized to charge any appropriate fees under 37 CFR 1.17 that may be required to Deposit Account No. 503302 (**Order No. CLIP014US**).

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